

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

**North Carolina Environmental Justice
Network, Neuse Riverkeeper Foundation, Inc.,
and Waterkeeper Alliance, Inc.**

Plaintiffs,

v.

**Mr. Donald Taylor and Ms. Annie Taylor,
individually and d/b/a Taylor Finishing, Mr.
Justin T. McLawhorn, and Mr. Aaron
McLawhorn,**

Defendants.

Civil Action No. 4:12-cv-00154

**DECLARATION OF BETHANY A. DAVIS NOLL IN SUPPORT OF PLAINTIFFS'
MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS JUSTIN T.
MCLAWHORN AND AARON MCLAWHORN'S MOTION TO DISMISS**

DEBVOISE & PLIMPTON LLP
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Local Civil Rule 83.1 Counsel
Counsel for All Plaintiffs

I, Bethany A. Davis Noll, declare as follows:

1. I am associated with the law firm of Debevoise & Plimpton LLP, counsel to Plaintiff North Carolina Environmental Justice Network, and am resident in the firm's New York office.

2. I file this declaration in support of Plaintiffs' Opposition to Defendants Justin T. McLawhorn and Aaron McLawhorn's Motion to Dismiss.

3. In support of this Plaintiffs' Memorandum, I attach true and correct copies of the following exhibits:

<u>No.</u>	<u>Exhibit</u>
1.	Certificate of Coverage No. AWG100000.
2.	Findings and Decision and Assessment of Civil Penalties, dated April 20, 2011.
3.	Letter from North Carolina Department of Environment and Natural Resources to Justin T. McLawhorn and Aaron McLawhorn, dated January 10, 2011.
4.	Division of Water Quality Compliance Inspection, dated October 22, 2007.
5.	North Carolina Department of Environment and Natural Resources Notice for Referral for the Banks Farm, Facility Number 52-2, dated September 27, 2007.
6.	North Carolina Secretary of State Administrative Reinstatement, dated September 13, 2012.
7.	Affidavit of Process Server, dated April 25, 2012.

* * *

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
October 22, 2012

/s/ Bethany A. Davis Noll
Bethany A. Davis Noll
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is an attorney at law and is admitted to practice in the state of North Carolina, is attorney for plaintiffs, and is a person of such age and discretion as to be competent to serve process.

That on the 22nd day of October he served a copy of the foregoing Declaration of Bethany A. Davis Noll in Support of Plaintiffs' Memorandum of Law in Opposition to Defendants Justin T. McLawhorn and Aaron McLawhorn's Motion to Dismiss, and accompanying exhibits, via electronic filing through the Eastern District of North Carolina CM/ECF system, which will send notification of such filing to the following parties:

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